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**HAMRE, SCHUMANN,  
MUELLER & LARSON, P.C.**

AN INTERNATIONAL INTELLECTUAL PROPERTY LAW FIRM

**FAX TRANSMISSION**      November 21, 2006

**TO:** Mail Stop: AMENDMENT  
Examiner: M. Rivero  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**FROM:** Curtis B. Hamre

**OUR REF:** 10873.1336US01

**TELEPHONE:** (612) 455.3800

Total pages, including cover letter: 11

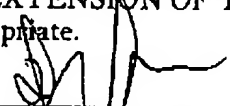
**PTO FAX NUMBER:** 571.273.8300

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**Title of Document:** Information Disclosure Statement, Form 1449, 1 reference, copy of Chinese Office Action

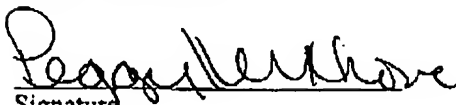
**Applicant:** AKIYAMA  
**Serial No.:** 10/692,936  
**App. Filed:** October 24, 2003  
**Group Art No.:** 2627  
**Confirmation No.:** 2117

Please charge any additional fees or credit overpayment to Deposit Account No. 50-3478. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

**By:**   
**Name:** Douglas P. Mueller  
**Reg. No.:** 30,300

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Peggy J. Kerkhove

  
Signature

November 21, 2006  
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: AKIYAMA Examiner: M. Rivero  
Serial No.: 10/692,936 Group Art Unit: 2627  
Filed: October 24, 2003 Docket: 10873.1336US01  
Title: OPTICAL INFORMATION RECORDING MEDIUM, OPTICAL  
RECORDING AND REPRODUCING METHOD AND OPTICAL  
RECORDING AND REPRODUCING APPARATUS

CERTIFICATE UNDER 37 CFR 1.6(d): I hereby certify that this paper is being transmitted by facsimile to the  
U.S. Patent and Trademark Office on November 21, 2006  
By: Peggy Kerkhove  
Name: Peggy Kerkhove

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. The art was recently cited in a Chinese Office Action mailed August 25, 2006. A copy of the office action is enclosed. Copies of any foreign patent documents or "Other Documents" are enclosed.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §(a)(3)):

US 6,587,420 is an English equivalent of CN 1251197.

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed (CHECK ONE):

- ☐ (1) within three (3) months of the Filing Date, before the mailing date of a First Office Action on the merits, or before the mailing date of a First Office Action on the merits after the filing of a request for continued examination under 37 C.F.R. §1.114; or
- ☒ (2) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and
- ☒ the requisite Statement is below, OR
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein, or
- ☐ (3) after the mailing date of a Final Rejection or Notice of Allowance but on or before the payment of the Issue Fee, AND

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- ☐ the requisite Statement is below, AND
- ☐ the requisite fee of \$180.00 under Rule 1.17(p) is included herein.

**STATEMENT**

As required under §1.97(e), Applicants hereby state either that:

- ☒ 1. Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.
- ☐ If this box is checked, Applicant provides the following:

**Certification Under 37 C.F.R. §1.704(d)**

In accordance with 37 C.F.R. §1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

- ☐ The Examiner is hereby advised of the following co-pending U.S. applications. A copy of each U.S. patent application publication (if published) or application (if not published) is enclosed.

Application No.Filing DateGroup

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

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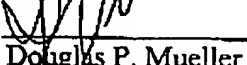
**FEE AUTHORIZATION**

Should any fee associated with the submission of this paper not be attached hereto as a check, the Commissioner is authorized to charge the missing fee to our Deposit Account, No. 50-3478. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &  
LARSON, P.C.  
P.O. Box 2902-0902  
Minneapolis, MN 55402-0902  
(612) 455-3800

Dated: November 21, 2006

By:   
Douglas P. Mueller  
Reg. No. 30,300

DPM/pjk



Date Mailed: November 21, 2006

Sheet 1 of 1

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 10873.1336US01	Application Number: 10/692,936
	Applicant: AKJYAMA, et al.	
	Filing Date: October 24, 2003	Group Art Unit: 2627

[illegible]

**53148**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

\*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE